

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF
ARKANSAS

UNITED STATES OF AMERICA,)
and ARKANSAS DEPARTMENT OF)
ENVIRONMENTAL QUALITY)
Plaintiffs)
)
)
)
)
)
v.) Case No. 1:18-cv-01076-SOH
)
GEORGIA PACIFIC CHEMICALS, LLC,)
and GEORGIA PACIFIC CONSUMER)
OPERATIONS, LLC)
Defendants)
)
)

**AMENDED SECOND JOINT STATUS REPORT REGARDING LODGED CONSENT
DECREE**

Pursuant to the July 26, 2019 Order of Chief Judge Susan O. Hickey, Plaintiffs, the United States of America, on behalf of the United States Environmental Protection Agency (“EPA”), and the Arkansas Department of Environmental Quality, and with the concurrence of counsel for Settling Defendants Georgia Pacific Chemicals, LLC and Georgia Pacific Consumer Operations, LLC (collectively “Parties”), submitted a Joint Status Report on August 2, 2019, regarding how the Parties wished to proceed (ECF No. 8).

The Parties advised the Court regarding their negotiations to amend the lodged Consent Decree and that the United States expected to file an amended Consent Decree no later than December 1, 2019. Negotiations have been productive, but the Parties need additional time to complete their discussions and finalize the amended Consent Decree. The Parties desire to complete these negotiations as soon as practicable, and the United States now expects to lodge

the amended Consent Decree with the Court no later than February 3, 2020. The Parties intend to fully resolve the allegations contained in Plaintiffs' Complaint (ECF No. 1) by the amended Consent Decree.

Upon lodging of the amended Consent Decree, the United States would publish public notice of the amended Consent Decree in the Federal Register and solicit public comments. Once the comments have been received and reviewed by the United States, and assuming the comments do not warrant a reconsideration of the terms, the United States would then expect to move the Court for entry of the amended Consent Decree.

Under these circumstances, the Parties request that the Court take no action with regard to this case until the amended Consent Decree can be lodged and submitted for approval. The Parties are available for a telephone conference should the Court have any questions.

Respectfully submitted,

s/ Samuel D. Blesi

SAMUEL D. BLESI (DC Bar # 417818)
Trial Attorney
Environmental Enforcement Section
Environmental and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, DC 20044
Telephone: (202) 514-1446
Facsimile: (202) 616-6584
Sam.Blesi@usdoj.gov

United States Attorney
DUANE (DAK) KEEES
United States Attorney
Western District of Arkansas

1st Candace L. Taylor

Candace L. Taylor
Assistant United States Attorney
Ark. Bar Number 98083
414 Parker Avenue
Fort Smith, AR 72901
Telephone: (479) 783-5125
Fax: (479) 441-0569
E-mail: candace.taylor@usdoj.gov

OF COUNSEL:

CHERYL BARNETT
Assistant Regional Counsel
Office of Regional Counsel
U.S. EPA, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733
Telephone: (214) 665-8328

CERTIFICATE OF SERVICE

I hereby certify that on November 26, 2019, a copy of the foregoing "Amended Second Joint Status Report Regarding Lodged Consent Decree" was filed electronically with the Clerk of Court using the CM/ECF system. I also certify that I have served this filing to counsel for Defendants, by U.S. mail, postage prepaid to non CM/ECF participants:

Samuel E. Ledbetter
Georgia Pacific
711 West Third Street
Little Rock, AR 72201

John Bottini
Georgia Pacific
133 Peachtree St., NE
P.O. Box 105605
Atlanta, GA 30348-5605

Tracy R. Rothermel
General Counsel for ADEQ
5301 Northshore Drive
North Little Rock, AR 72118

Krista K. McIntyre
Stoel Rives LLP
101 S. Capitol Blvd., Suite 1900
Boise, ID 83702-7705

/s/ Samuel D. Blesi
SAMUEL D. BLESI (DC Bar # 417818)
Trial Attorney
Environmental Enforcement Section
Environmental and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, DC 20044
Telephone: (202) 514-1446
Facsimile: (202) 616-6584
Sam.Blesi@usdoj.gov